THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No.11405 of 2007

Date 5-6-2007

Between:
P. Appala Raju

.....

PETITIONER.
AND

The Govt. of A.P. rep. by its
Secretary, Revenue (VO) Department, Secretariat, Hyderabad & others.

.....RESPONDENTS

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION NO.11405 of 2007

ORDER: (per Smt. T. Meena Kumari,J)

The petitioner filed the present writ petition seeking a writ of mandamus to declare the memo issued by the 2nd respondent vide proceedings bearing No. L. Dis No. 1312/2007/A-4, dated 20.4.2007 as arbitrary and illegal and to quash the same.

The brief facts of the case are that the petitioner was originally appointed as V.H.M. in the year 1967 for Gaalibhimavaram Village. Subsequently, the said system was abolished and the petitioner was removed from the said post. However, it is stated that in the year 1999, again the Government reappointed the petitioner as V.A.O. of the very same village. Thereafter, the post of V.A.O. has been re-designated as Assistant Secretary (Panchayat) and the same has been continued till 8.2.2007, on which date, it was again re-designated as V.R.O. While so, the Government said to have issued G.O. Ms. No. 875, dated 30.8.1994 extending the age of superannuation of the then VAOs, who are redesignated as V.R.Os. from 62 to 65 years. The petitioner, then made a representation to the 2nd respondent herein on 9.4.2007 to consider his case as per the said G.O. The grievance of the petitioner is that the 2nd respondent instead of considering the case of the petitioner

as per the said G.O., issued the impugned memo dated 20.4.2007 directing the 3rd respondent to retire him from service with effect from 31.5.2007 on superannuation, by making alternate in-charge arrangements. Assailing the same, the petitioner filed O.A. No. 2963 of 2007 before the A.P. Administrative Tribunal and the Tribunal while admitting the O.A. issued notice to the respondent therein. Hence, the present writ petition.

Admittedly, the Tribunal only ordered notice on the miscellaneous application in the O.A. No. 2963 of 2007 filed by the petitioner and it did not pass any final order. Since no final orders are passed by the Tribunal on the miscellaneous application, we do not find any valid ground to entertain this writ petition filed under Article 226of the Constitution of India.

The writ petition is accordingly dismissed at the admission stage.

However, liberty is reserved to the petitioner to challenge the orders that may be passed by the Tribunal on the miscellaneous application. No costs.

_____

T. MEENA KUMARI,J

DATE: 5th June, 2007

_____

G. CHANDRAIAH,J

pnb